

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LAMBDA LABS, INC.,

Plaintiff,

v.

LAMBDA, INC.,

Defendant.

Case No. 19-cv-04060-JST (TSH)

DISCOVERY ORDER

Re: Dkt. No. 148

We are here on Lambda School's motion to compel concerning some of its requests for production ("RFPs") to Lambda Labs. ECF No. 148. The Court will keep this order brief, since fact discovery closes in four days, so it's more important to get this order out than to have a lengthy analysis.

For RFPs 118-120, 127, and 131, Labs said it is not withholding any responsive documents, but School said it cannot find any responsive documents in Labs' document production. Accordingly, the Court orders Labs for each RFP to either state that it was unable to find any responsive documents or identify examples of responsive documents by Bates number. Labs must do this by the close of fact discovery. For RFP 127, Labs explained at the hearing that there are no responsive offer or negotiation documents with respect to Valve Corp.

For RFPs 106, 107, 125, 126 and 130, in the letter brief School focused on these being relevant to lost sales, but Labs stated that it is not pursuing damages for lost sales. During the hearing, School argued that these RFPs could also be relevant to injury to good will. However, that theory was not briefed. The Court orders the parties to file a joint discovery letter brief concerning whether these RFPs are relevant to injury to good will (and, if relevant, whether they are unduly burdensome, and so on) by February 24, 2021.

1 For RFPs 105 and 108, the Court orders Labs to identify the responsive documents it
2 produced by Bates number by February 26, 2021.

3 For RFP 121, Labs reported that it has no responsive documents, so there is nothing for the
4 Court to order.

5 **IT IS SO ORDERED.**

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7 Dated: February 22, 2021

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9 THOMAS S. HIXSON
10 United States Magistrate Judge
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